

CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONERIN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIAANDY J. OXENRIDER

Full Name of Plaintiff

Inmate Number

v.

Civil No. 1:22-cv-1557

(to be filled in by the Clerk's Office)

Judge Schwab

LEBANON COUNTY DISTRICT ATTORNEY

Name of Defendant 1

☒ Demand for Jury Trial☐ No Jury Trial DemandASSISTANT DISTRICT ATTORNEY LEBANON CO.  
COURTNEY MCMONAGLE

Name of Defendant 2

LEBANON COUNTY DISTRICT ATTORNEY  
PIER HESS

Name of Defendant 3

TROOP L. JONESTOWN BARRACKS  
PENNSYLVANIA STATE POLICE

Name of Defendant 4

JACOB KEHLER TROOPER

Name of Defendant 5

(Print the names of all defendants. If the names of all  
defendants do not fit in this space, you may attach  
additional pages. Do not include addresses in this  
section). **SEE NEXT PAGE FOR ADDITIONAL  
DEFENDANTS**

## I. NATURE OF COMPLAINT

Indicate below the federal legal basis for your claim, if known.

**SEE EXHIBIT A.1 COMPLAINT**☒ Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)☐ Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388  
(1971) (federal defendants)☐ Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the  
United StatesDEFENDANTS ARE (A)  
SEE ALSO EXHIBIT (A)FILED  
HARRISBURG, PA

OCT 05 2022

PER IRB  
DEPUTY CLERK

CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONER

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ANDY J. OXENRIEDER  
Full Name of Plaintiff      Inmate Number

v.

TROOPER SHIMCO  
Name of Defendant

JOHN DOE STATE POLICE  
Name of Defendant

COMFORT INN HOTEL  
Name of Defendant

JACKELINE GARCIA  
Name of Defendant

Name of Defendant

(Print the names of all defendants. If the names of all defendants do not fit in this space, you may attach additional pages. Do not include addresses in this section).

**I. NATURE OF COMPLAINT**

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Civil No. \_\_\_\_\_  
(to be filled in by the Clerk's Office)

☒ Demand for Jury Trial  
☐ No Jury Trial Demand

DEFENDANTS PART (B)

II. ADDRESSES AND INFORMATION

A. PLAINTIFF

OXENRIDER ANDY J.

Name (Last, First, MI)

Inmate Number

LEBANON COUNTY CORRECTIONAL FACILITY

Place of Confinement

730 E. WALNUT STREET

Address

LEBANON PA. 17042

City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

- ☒ Pretrial detainee  
☐ Civilly committed detainee  
☐ Immigration detainee  
☒ Convicted and sentenced state prisoner  
☐ Convicted and sentenced federal prisoner

B. DEFENDANT(S)

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint. SEE EXHIBIT (A) PARAGRAPHS 4-18

Defendant 1:

DISTRICT ATTORNEY LEBANON COUNTY MUNICIPALITY

Name (Last, First)

LEBANON COUNTY MUNICIPAL DISTRICT ATTORNEYS OFFICE

Current Job Title

400 SOUTH 8TH STREET ROOM 11 ADMIN. ROOM 311

Current Work Address

LEBANON PA. 17042

City, County, State, Zip Code

Defendant 2:

McMONAGLE COURTNEY E.  
Name (Last, First)  
ASSISTANT DISTRICT ATTORNEY LEBANON COUNTY  
Current Job Title  
400 SOUTH 8TH STREET MUNICIPAL BLDG ROOM 11  
Current Work Address  
LEBANON PA. 17042  
City, County, State, Zip Code

Defendant 3:

HESS PIER  
Name (Last, First)  
DISTRICT ATTORNEY LEBANON COUNTY  
Current Job Title  
400 SOUTH 8TH STREET ROOM 11 MUNICIPAL BLDG.  
Current Work Address  
LEBANON, LEBANON PA. 17042  
City, County, State, Zip Code

Defendant 4:

PENNSYLVANIA STATE POLICE TROOP L. JONESTOWN  
Name (Last, First)  
STATE POLICE TROOP L. JONESTOWN  
Current Job Title  
3185 PA-72  
Current Work Address  
JONESTOWN PA. 17038  
City, County, State, Zip Code

Defendant 5:

KELIHER JACOB  
Name (Last, First)  
TROOPER PENNSYLVANIA STATE POLICE JONESTOWN  
Current Job Title  
3185 PA-72  
Current Work Address  
JONESTOWN PA. 17038  
City, County, State, Zip Code

Defendant 8:

SHIMCO TROOPER  
Name (Last, First)  
STATE POLICE TROOPER  
Current Job Title  
3185 PA-72  
Current Work Address  
JONESTOWN PA. 17038  
City, County, State, Zip Code

Defendant 9:

DOE JOHN  
Name (Last, First)  
PENNSYLVANIA STATE POLICE SERGEANT/COMMISSIONER  
Current Job Title  
3185 PA-72  
Current Work Address  
JONESTOWN PA. 17038  
City, County, State, Zip Code

Defendant 10:

COMFORT INN HOTEL  
Name (Last, First)  
PRIVATE CORPORATE HOTEL  
Current Job Title  
16 MARSANNA LANE  
Current Work Address  
UNION TOWNSHIP LEBANON COUNTY PA. 17038  
City, County, State, Zip Code

Defendant 11:

~~DOE JOHN~~ GARCIA JACKELINE  
Name (Last, First)  
HOTEL STAFF MEMBER COMFORT INN HOTEL  
Current Job Title  
16 MARSANNA LANE  
Current Work Address  
UNION TOWNSHIP LEBANON COUNTY PA. 17038  
City, County, State, Zip Code

### III. STATEMENT OF FACTS *SEE ALSO EXHIBIT (A)*

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

A. Describe where and when the events giving rise to your claim(s) arose.

ON OR ABOUT JUNE 22, 2020 THE PLAINTIFF WAS ARRESTED BY REPRESENTATIVES OF THE DEFENDANT STATE POLICE IN LEBANON COUNTY PENNSYLVANIA AND CHARGED WITH POSSESSION OF CONTROLLED SUBSTANCE. PLAINTIFF WAS PLACED IN THE LEBANON COUNTY PRISON AND SPENT APPROX. 223 DAYS INCARCERATION SEE EXHIBIT A PARAGRAPHS 19 THROUGH 47

B. On what date did the events giving rise to your claim(s) occur?

ON MAY 26, 2022 DEFENDANT COUNTY DISTRICT ATTORNEYS PROSECUTED PLAINTIFF ON SAID CHARGES. FOLLOWING A JURY TRIAL, PLAINTIFF OXENRIEDER WAS ACQUITTED OF ALL CHARGES BY JURY IN THE COMMON PLEAS COURT LEBANON COUNTY PA. (SEE EXHIBIT (A)) 19-47

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what?)

*REFER ALSO TO EXHIBIT (A)*

THE LEBANON COUNTY DISTRICT ATTORNEY'S OFFICE OPERATES UNDER SUPERVISION AND CONTROL OF LEBANON COUNTY. THE DEFENDANTS PIER HESS AND COURTNEY MCMONAGLE, WERE DISTRICT ATTORNEY'S PROSECUTORS AND INVESTIGATORS IN THE LEBANON COUNTY DISTRICT ATTORNEYS DEPARTMENT THE PENNSYLVANIA STATE POLICE DEPARTMENT TROOP JONESTOWN BARRACKS OPERATE UNDER THE SUPERVISION AND CONTROL OF THE STATE OF PENNSYLVANIA. THE DEFENDANTS JACOB KELLHER, TOOPER SHIMCO AND JOHN DOE WHERE POLICE OFFICERS TROOPERS AND SERGEANT/COMMISSIONERS AND INVESTIGATORS IN THE PENNSYLVANIA STATE POLICE DEPARTMENT, COMFORT IN HOTEL AND JACKELINE GARCIA WHERE EMPLOYEE/EMPLOYER STAFF PERSONEL OF THE COMFORT IN HOTEL ACTING AS AGENTS OF THE STATE/COUNTY. THERE ACTIONS ARE AND WERE AT ALL TIMES MATERIAL THE ACTIONS OF BOTH LEBANON COUNTY AND STATE OF PENNSYLVANIA, LEBANON COUNTY DISTRICT ATTORNEY DEPARTMENT AND PENNSYLVANIA STATE POLICE DEPARTMENT AND REFLECTED THE POLICY AND PROCEDURES OF THESE DEFENDANTS DEFENDANT COUNTY AND STATE ARE ALSO BEING SUED AS PERSONS ~~OTHER~~ AS A PERSON UNDER 42 U.S.C 1983.



## IV. LEGAL CLAIM(S) (A)

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

THE DEFENDANTS CONSPIRED TOGETHER TO VIOLATE THE DUE PROCESS AND OTHER CIVIL RIGHTS OF THE PLAINTIFF AND TO CHARGE HIM WITH A CRIME HE DID NOT COMMIT AND WHICH THE DEFENDANTS SHOULD HAVE RECOGNIZED HE DID NOT COMMIT.

~~THE DEFENDANTS CONSPIRED TOGETHER TO VIOLATE THE DUE PROCESS AND OTHER CIVIL RIGHTS OF THE PLAINTIFF AND TO CHARGE HIM WITH A CRIME HE DID NOT COMMIT AND WHICH THE DEFENDANTS SHOULD HAVE RECOGNIZED HE DID NOT COMMIT.~~

THE INVESTIGATION CONDUCTED BY THE DEFENDANTS AND THEIR ACTIONS TAKEN THERON WERE TAKEN IN BAD FAITH OR, IN THE ALTERNATIVE NEGLIGENCE, AND THE PLAINTIFF WAS DAMAGED BY REASON THERE OF IN AT LEAST THE FOLLOWING RESPECTS: (A) LOSS OF PERSONAL FREEDOM. (B) PAYMENTS NECESSARY FOR BOND AND EXPENSES OF DEFENCE INCLUDING ATTORNEYS' FEES; (C) PAIN AND SUFFERING BOTH PHYSICAL AND EMOTIONAL; AND (D) LOSS OF REPUTATION IN THE COMMUNITY SEE ATTACHED IV LEGAL CLAIMS (B) AND EXHIBIT (A) PARAGRAPHS

## V. INJURY

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

SEE ABOVE LEGAL CLAIMS (A) IV - (A), (B), (C), (D) AND EXHIBIT (A) PARAGRAPHS 19-47-47-50

## VI. RELIEF

State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

SEE NEXT PAGE V I RELIEF AND EXHIBIT (A) 47-50

PG 21-22

SEE ALSO EXHIBIT (A)

THE WRONGFUL ACTS OF THE DEFENDANTS COMPLAINED OF HEREIN WERE UNDERTAKEN MALICIOUSLY AND INCLUDE, WITHOUT LIMITATION THE FOLLOWING:

~~Describe with specificity what injury, harm, or damages you suffered because of the events described above.~~

INCOMPLETE, UNSUPPORTED EVIDENCE WHICH THE DEFENDANTS KNEW OR SHOULD HAVE KNOWN WAS FALSE, DISTORTED OR FABRICATED. . . . .

IF IN THE EVENT THAT THE PLAINTIFF, PRO-SK HAS BEEN COMPELLED TO EMPLOY ATTORNEYS TO REPRESENT HIM IN THIS MATTER, HE IS ENTITLED TO RECOVER A

VI. RELIEF REASONABLE ATTORNEY'S FEE FOR THE SERVICES OF HIS ATTORNEYS

State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

WHEREFORE, THE PLAINTIFF PRAYS THAT THE COURT GRANT HIM ALL COMPENSATORY DAMAGES TO WHICH HE IS ENTITLED, AWARD HIM COSTS OF THE SUIT HEREIN AS WELL AS REASONABLE ATTORNEYS FEES AND THE PLAINTIFF FURTHER PRAYS FOR SUCH OTHER AND FURTHER RELIEF AGAINST THE DEFENDANTS AS MAY BE JUST AND PROPER.

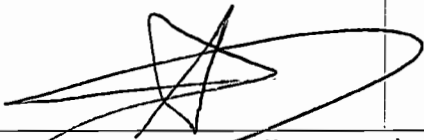
(B)



## VII. SIGNATURE

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.

  
Signature of Plaintiff ANDY J. OXENRIEDER  
10/31/22

Date

U.S. SUPREME COURT OF PA. MIDDLE DIST.

CLERK OF COURT

228 WALNUT STREET

P.O. Box 983

HARRISBURG PA. 17108

DATE: 10/3/22

RE: 1983 CIVIL COMPLAINT

TO THE CLERK OF COURT:

PLEASE FIND ENCLOSED THE ABOVE MENTIONED  
1 YELLOW MANILLA ENVELOPE CONTAINING AN ORIGINAL  
AND 1 UNBOUND COPY WITH INFORMAS PROPERUS AND  
MOTION FOR COUNSEL 1 ORIGINAL & 1 COPY FOR THE JUDGE,

IN THE OTHER MANILLA ENVELOPE 3 COPIES  
UNBOUND FOR THE ATTORNEY GENERAL IF HE MUST  
BE SERVED. AND

(9) UNBOUND COPIES ONE FOR EACH DEFENDANT  
TO BE SERVED BY THE MARSHALS

I'M HOPEING THIS IS PROPER PLEASE INFORM ME IF  
IT IS NOT, AS FAR AS COPIES FOR ENTRY AND SERVICE.

THANK YOU FOR YOUR TIME, HELP, AND KINDEST  
CONSIDERATION I REMAIN

VERY RESPECTFULLY,

S

(P) ANDY OXENRIDER

730 E. WALNUT STREET

LEBANON PA. 17042

FR:  
ANDY OXENRIDER  
730 E. WALNUT STREET  
LEBANON PA. 17042

RECEIVED  
HARRISBURG, PA

OCT 05 2022

PER DA  
DEPUTY CLERK

**FIRST CLASS MAIL**



PRIVILEGED  
LEGAL MAIL

TO:  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA  
228 WALNUT STREET  
P.O. Box 983  
HARRISBURG, PA. 17108